RCC Attv. Dkt. No. 041457-063

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Juan MANTELLE et al.

Title:

COMPOSITIONS AND METHOD FOR TREATMENT OF ATTENTION

DEFICIT DISORDER AND ATTENTION DEFICIT/HYPERACTIVITY

DISORDER WITH METHYLPHENIDATE

Appl. No.:

10/024,513

Appl. Filing Date:

12/21/2001

Examiner:

F. Choi

Art Unit:

1616

REQUEST FOR CONTINUED EXAMINATION (RCE) **TRANSMITTAL**

Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

- 1. Submission required under 37 C.F.R. §1.114: (check items that apply)
 - a. Previously submitted:
 - [X] Please enter and consider the amendment/reply previously filed on August 2, 2004 .
 - [X] Please consider the Affidavit(s)/Declaration(s) previously filed on August 2, 2004 but not considered.

10/18/2004 HVUDNG1 00000086 10024513

02 FC:1252

790.00 OP 430.00 DP -1-

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$790.00	= \$790.00

- [X] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:
 - [X] Extension for response filed within the second month: \$430.00 \$430.00 TOTAL FEE: \$1220.00
- [] Please charge Deposit Account No. 19-0741 in the amount of \$0.00. A duplicate copy of this transmittal is enclosed.
- [X] A check in the amount of \$1,220.00 to cover the filing fee is enclosed.
- [X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Date October 15, 2004

FOLEY & LARDNER LLP Customer Number: 22428

Telephone:

(202) 672-5585

Facsimile:

(202) 672-5399

Respectfully submitted,

James M. Silbermann

Attorney for Applicant

Registration No. 40,413